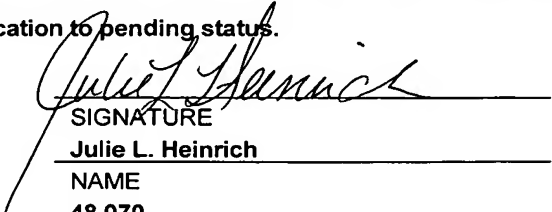


DT07 Rec'd PCT/PTO 0 4 FEB 2005

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER  <b>355901-0109</b>  <small>U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)</small> <b>10/523623</b> <small>To Be Assigned</small>
INTERNATIONAL APPLICATION NO. PCT/IB03/03637	INTERNATIONAL FILING DATE 8/5/2003	PRIORITY DATE CLAIMED 8/6/2002
TITLE OF INVENTION FUEL CELL USING BIOFILMS AS CATALYST FOR THE CATHODE REACTION AND/OR THE ANODE REACTION		
APPLICANT(S) FOR DO/EO/US Alain Bergel, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Transmittal of Formal Drawings (2 sheets, Fig. 1, 2,3); PCT Request; International Search Report.</li> </ol>		

DT12 Rec'd PCT/PTO 0 4 FEB 2005

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To Be Assigned		INTERNATIONAL APPLICATION NO. PCT/IB03/03637		ATTORNEY'S DOCKET NUMBER 355901-0109	
10/523623					
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00	\$	300.00	
<input checked="" type="checkbox"/> b) Examination fee		\$200.00	\$	200.00	
<input checked="" type="checkbox"/> c) Search fee		\$500.00	\$	500.00	
TOTAL OF ABOVE CALCULATIONS =		\$1000.00	\$	1000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
30 - 100 =	0 /50 =	0	x \$250.00	\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	18 - 20 =	0	x \$	50.00	\$ 0.00
Independent Claims	4 - 3 =	1	x \$	200.00	\$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$	360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$	1200.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00
SUBTOTAL =				\$	1200.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	1200.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	1200.00
				Amount to be refunded:	
				charged:	
a. <input checked="" type="checkbox"/> A check in the amount of \$1,200.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP					
Customer Number: 38706					
 SIGNATURE Julie L. Heinrich NAME 48,070 REGISTRATION NUMBER					

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

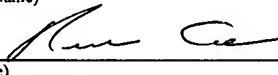
Applicant: Alain Bergel, et al.  
Title: FUEL CELL USING BIOFILMS  
AS CATALYST FOR THE  
CATHODE REACTION AND/OR  
THE ANODE REACTION

Appl. No.: To Be Assigned

Filing Date: Herewith

Examiner: To Be Assigned

Art Unit: Not Yet Assigned

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 576634214 US	2/4/05
(Express Mail Label Number)	(Date of Deposit)
Rene Campos	
(Printed Name)	
	
(Signature)	

**TRANSMITTAL OF FORMAL DRAWINGS**

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

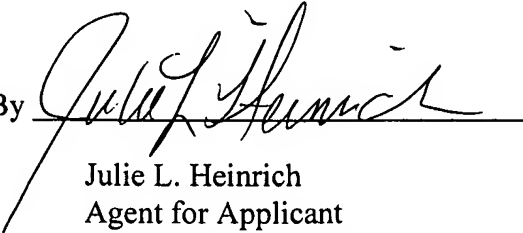
Transmitted herewith are the formal drawings (2 sheets, Figures 1, 2 and 3) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

Date Feb 4 2005

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1105  
Facsimile: (650) 856-3710

By

  
Julie L. Heinrich  
Agent for Applicant  
Registration No. 48,070